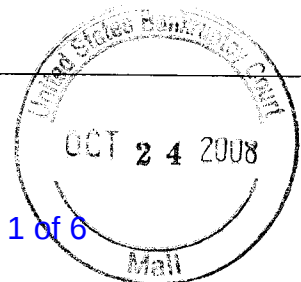
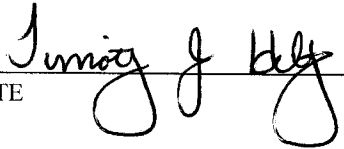


ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)		
		08-2282		
PLAINTIFFS <i>Jim's Plumbing & Heating, Inc.</i>	DEFENDANTS <i>James H. Hall & Tara M. Hall</i>			
ATTORNEYS (Firm Name, Address, and Telephone No.) <i>Timothy J. Helbing</i> <i>851 Racine Street</i> (920) 725-2637 <i>Menasha WI 54952</i>	ATTORNEYS (If Known) <i>John R. Petijean</i> (920) 432-7714 <i>125 S. Jefferson St. #101</i> <i>Green Bay WI 54305-1424</i>			
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee			
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) <div style="text-align: center; font-size: 1.2em; margin-top: 10px;"> <i>Complaint to determine dischargeability under section 523 of the Bankruptcy Code.</i> </div>				
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border: none;"> FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input checked="" type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <div style="text-align: center; font-size: 0.8em;">(continued next column)</div> </td> <td style="width: 50%; vertical-align: top; border: none;"> FRBP 7001(6) – Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa et seq. <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case) </td> </tr> </table>			FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input checked="" type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <div style="text-align: center; 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<input type="checkbox"/> Check if this case involves a substantive issue of state law	<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23			
<input type="checkbox"/> Check if a jury trial is demanded in complaint	Demand \$ <i>49,545.69 plus interest</i>			
Other Relief Sought <div style="text-align: center; font-size: 1.2em; margin-top: 10px;"> <i>Denial of discharge.</i> </div>				



BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR <i>James H. Hall and Tara M. Hall</i>		BANKRUPTCY CASE NO. <i>08-31140</i>
DISTRICT IN WHICH CASE IS PENDING <i>Eastern District of Wisconsin</i>	DIVISION OFFICE	NAME OF JUDGE <i>McGarity</i>
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF)		
 DATE <i>October 23, 2008</i>		PRINT NAME OF ATTORNEY (OR PLAINTIFF) <i>Timothy J. Helbing</i>

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re: James H. Hall and
Tara M. Hall

Case No: 08-31140
(Chapter 7)

Debtors.

Jim's Plumbing and Heating, Inc.
W6166 Greenville Drive
Greenville WI 54942,

Plaintiff,

v.

Adversary No. 08-2282

James H. Hall and
Tara M. Hall
W2418 County Highway KK
Appleton WI 54915,

Defendants.

COMPLAINT TO DETERMINE DISCHARGEABILITY

Jim's Plumbing and Heating, Inc., plaintiff herein, by its counsel, Timothy J. Helbing, states the following complaint against the defendants:

1. This is a core proceeding over which this court has jurisdiction under 28 U.S.C. § 157(b).
2. Defendants are debtors in this Chapter 7 case. Plaintiff is a creditor of the defendants.
3. This is an adversary proceeding to determine dischargeability of a debt.
4. At all times material, James H. Hall has been an officer, director, and agent of Hall Development, responsible for the management of Hall Development's day to day activities.
5. Hall Development, acting as a prime contractor as that term is defined under *Wis. Stats.* §779.01(2), hired the plaintiff, as a subcontractor, to provide various labor and materials for various construction projects.

6. Hall Development has been paid by the owner of the properties that are the subject of said construction projects.

7. The money that Hall Development received on account of said construction contracts were trust funds in Hall Development's hands, at least to the extent of Hall Development's liability to the plaintiff with respect to said subcontracts.

8. Hall Development, acting through James H. Hall, failed to turn over said trust funds to the plaintiff.

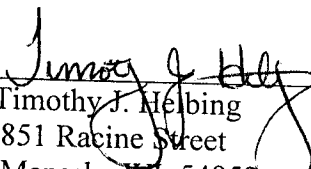
9. As a result of said failure to turn over the trust funds, a money judgment was entered against both James H. Hall and Hall Development in the amount of \$49,545.69 on August 11, 2008 in Outagamie Court Case No: 08-CV-878.

10. The money judgment entered against James H. Hall is nondischargeable under section 523(a)(4) of the Code.

WHEREFORE, the plaintiff requests that the court determine the \$49,545.69 money judgment be nondischargeable; that the plaintiff have such other relief the court deems just and equitable, including all costs, disbursements and reasonable attorney's fees.

Dated this 23rd day of October, 2008.

HELBING LAW OFFICE, LLC

By: 
Timothy J. Helbing
851 Racine Street
Menasha WI 54952
Phone (920) 725-2637
Fax (920) 725-2697
State Bar No.: 1037603

United States Bankruptcy Court

Eastern District Of Wisconsin

In re James H. Hall and Tara M. Hall)
Debtor)
)
Jim's Plumbing & Heating, Inc.)
Plaintiff)
)
v.)
James H. Hall and Tara M. Hall)
Defendant)

Case No. 08-31140

Chapter 7

Adv. Proc. No. 08-2282

SUMMONS IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk U.S. Bankruptcy Clerk
Room 126, U.S. Courthouse
517 E. Wisconsin Avenue
Milwaukee WI 53202-4881

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney Timothy J. Helbing
851 Racine Street
Menasha WI 54952

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Clerk of the Bankruptcy Court

Date

By: _____
Deputy Clerk

October 23, 2008

Clerk, U.S. Bankruptcy Court
Eastern District of Wisconsin
Federal Courthouse, Room 126
517 East Wisconsin Avenue
Milwaukee WI 53202

RECEIVED - MAIL

2008 OCT 24 A 9:10

US BANKRUPTCY COURT
EASTERN DISTRICT OF WI



Dear Clerk:

Re: James H. Hall and Tara M. Hall
Case No: 08-31140

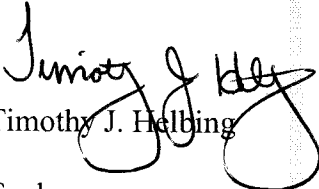
Enclosed please find an original and four (4) copies of the Summons and Complaint and the original Adversary Proceeding Cover Sheet B 104 regarding the above-referenced matter.

Please issue the summons, and return four (4) file-stamped copies of the summons and complaint to my office in the enclosed envelope. I will thereupon serve the same.

Also enclosed is a check in the amount of \$150.00 for the filing fee.

Very truly yours,

HELBING LAW OFFICE, LLC


Timothy J. Helbing
Enclosures